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## FROST BROWN TODD LLC

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October 30, 2003

### VIA HAND DELIVERY

Mr. Paul Parmele  
The Kroger Co. – Law Dept.  
1014 Vine Street  
Cincinnati, OH 45202

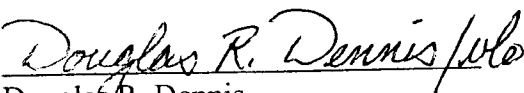
**Re: The Kroger Co. v. Malease Foods Corp.**

Dear Paul:

Enclosed please find copies of the Expert Report of Jonathan Libbert, his curricula vitae;  
the Expert Report of Scott E. Butler and James D. Price and their curricula vitas.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Douglas R. Dennis

DRD:vlo  
Enclosures

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